REMARKS

This application has been reviewed in light of the Office Action mailed on September 24, 2007.

Claims 1-65 are presented for examination. Claims 1, 32-45, 56, 57, 61, 62, 64 and 65 have been amended. Claims 1, 32-34, 45, 56, 57, 61 and 62 are independent.

A Request for Continued Examination is submitted herewith. Further examination and favorable review are respectfully requested.

Claims 35-44 and 65, dependent from claim 34, were objected to because of informalities. The Office Action stated that it was not clear whether the claims were directed to a method or a product. Claims 34-44 and 65 have been carefully reviewed and revised so that they are directed to a computer-readable medium encoded with a software module including computer code. The computer code, when executed by a computer, causes the computer to perform specific steps of a method. The function of the computer code is realized by its interaction with computer hardware. The computer-readable medium of claim 34 (and claims dependent therefrom) is an article of manufacture. MPEP § 2106.01.

Claim 1 has been amended to explicitly recite a step of detecting an event that calls for display of an existing context menu; modifying the existing context menu based on additional menu information; and subsequently displaying the modified context menu. The existing context menu is not displayed in response to the event. This amended claim language is supported in the specification at least in paragraphs 32-36.

It is thus a feature of the method of claim 1 that an existing context menu is not displayed in response to an event calling for such display, but rather the context menu is modified, and the modified context menu is subsequently displayed. The other independent claims (claims 32-34, 45, 56, 57, 61 and 62) have been amended to recite this feature in similar terms.

Claims 1-18 and 20-65 were rejected under 35 U.S.C. § 102(e) as being anticipated by Cadiz et al. (U.S. Patent Application Publication No. 2002/0186257). Claim 19, dependent from claim 18, was apparently rejected under 35 U.S.C. § 103(a) as being unpatentable over Cadiz et al. (the Examiner quoted 35 U.S.C. § 103(a), but

characterized the rejection as under 35 U.S.C. § 102(e)). The applicants respectfully submit that independent claims 1, 32-34, 45, 56-58, 61 and 62 are patentably distinct from the cited art, since Cadiz does not teach, describe or suggest modifying or displaying a context menu as set forth in the amended independent claims.

Cadiz et al. is understood to disclose a system and method for implementing a peripheral awareness interface or "sidebar" (paragraph 70), in which a dynamic object or "ticket" (e.g. an XML structure) is paired with a "viewer" so that information of interest to a viewer may be tracked and watched (paragraph 74). Tickets are displayed using the viewers, which may be understood as hosting the tickets in the sidebar, for display in a portion of the user's display device (paragraph 78). In Cadiz et al. an "item" is a ticket/viewer pair, dynamically displayed in the sidebar (paragraph 167). The sidebar of Cadiz et al. is thus populated with "items." Each "item" provides a visualization of the state of the underlying object; a visualization is a displayed ticket (paragraph 178). Each "item" of Cadiz et al. has an associated context menu (paragraph 193). According to Cadiz et al., these context menus are implemented using conventional techniques, and may be accessed by pointing at or clicking on an "item." One following the teaching of Cadiz et al. would thus be led to implement a context menu for a given clickable item, and to cause a display of that menu in response to an event such as a right-click, in accordance with conventional methods (paragraph 193).

The applicants have not found in Cadiz et al. any teaching regarding modifying and displaying a context menu as required by claim 1. Cadiz et al. mentions (paragraph 193) accessing a conventionally-implemented context menu associated with an "item," but does not disclose or suggest modifying the context menu and subsequently displaying the modified menu. In particular, Cadiz et al. offers no teaching or suggestion regarding not displaying an existing context menu.

The above-noted feature of the independent claims is therefore neither taught nor suggested in the Cadiz et al. reference. Cadiz et al. therefore cannot form the basis of a proper rejection under either 35 U.S.C. § 102 or 35 U.S.C. § 103. Furthermore, Cadiz et al. cannot render the claims obvious either alone or in combination with any other reference of record, for the same reasons.

The other claims in this application are dependent from one or another of the independent claims discussed above and are therefore believed to be patentable for the same reasons. Since each dependent claim is deemed to define an additional aspect of the invention, however, consideration of each on its own merits is respectfully requested.
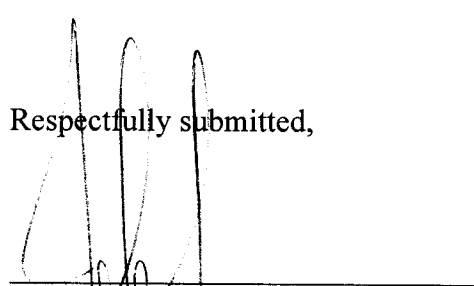
In view of the foregoing amendments and remarks, the applicants respectfully request favorable consideration and early passage to issue of the application.

This amendment is being filed within two months of the mailing date of the Office Action. Accordingly, the period of time for response to the Office Action will expire three months from the date of the Office Action or on the date an Advisory Action is mailed, whichever is later. MPEP § 706.07(f).

The Commissioner is hereby authorized to charge any fees which may be required for this Amendment to Deposit Account No. 50-1561 of Greenberg Traurig, LLP.

The applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 32361.

Respectfully submitted,

Date: October 22, 2007

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James J. DeCarlo
Reg. No. 36,120

Customer Number 32361
GREENBERG TRAURIG, LLP
MetLife Building
200 Park Avenue
New York, NY 10166
Phone: (212) 801-9200
Fax: (212) 801-6400
E-mail: decarloj@gtlaw.com